

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

DENNIS ALEXANDER,

*Plaintiff,*

V.

TROUP INDEPENDENT SCHOOL DISTRICT,  
ANDY GRIFFIN, MELISSA  
YOUNG, ROBBIE SWITZER, SHANE  
JASPER, JOHN WHITSELL AND GENE  
WHITSELL, INDIVIDUALLY AND IN  
THEIR CAPACITIES AS TROUP  
INDEPENDENT SCHOOL DISTRICT  
TRUSTEES, AND STUART BIRD,  
INDIVIDUALLY AND IN HIS CAPACITY  
AS SUPERINTENDENT OF TROUP  
INDEPENDENT SCHOOL DISTRICT,

*Defendants.*

C. A. No. 6:16-cv-1276

## JURY TRIAL DEMANDED

## **NOTICE OF ANTICIPATED FINAL SETTLEMENT**

In response to an incomplete and premature filing by Plaintiff (*see* Dkt. #59), which was not withdrawn following subsequent conference between counsel, Defendants hereby respectfully notify the Court that this matter has been fully and finally settled in principle. Plaintiff has executed a Compromise Settlement Agreement and Release of All Claims (the “Agreement”). Counsel for Defendants received the Agreement bearing Plaintiff’s signature electronically at 3:05 p.m. on February 8, 2018. As of 2:45 p.m. on February 9, 2018, counsel for Defendants have received and are holding the associated consideration for the Agreement in trust.

Following receipt of these necessary materials, Defendants immediately called a public meeting at which they can officially consider and approve the Agreement. Pursuant to state open

meeting laws, the Troup Independent School District cannot act to accept the settlement until such meeting has been scheduled and notice posted for at least 72 hours. TEX. GOV'T CODE § 551.043. At this time, counsel for Defendants represents to the Court that Troup ISD has posted notice of a meeting scheduled for Monday, February 12, 2018, at 6:30 p.m., effectively the earliest possible time for the Board to meet in accordance with state law.

Upon anticipated approval of the settlement by the Troup ISD Board of Trustees and the collection of required signatures, complete documents as contemplated by the Agreement (and supplanting those which were unnecessarily entered by the Plaintiff) will be filed for the Court's approval as quickly as possible.

DATED: February 9, 2018.

Respectfully submitted,  
HARDY COOK & HARDY, P.C.

By: /s/ John M. Hardy

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*Attorneys For Defendants*

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of February, 2018, I have filed the foregoing Notice of Anticipated Final Settlement using the CM/ECF system of the United States District Court, Eastern District of Texas, which will cause a copy of the foregoing document to be electronically served upon all counsel of record who are deemed to have consented to electronic filing pursuant to Local Rule CV-5(a)(3).

/s/ John M. Hardy  
Attorney for Defendants